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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/817,437	03/26/2001	Stephen J. Todd	JW-EMC-007	9135
24227	7590 03/29/2005		EXAMINER	
EMC CORPORATION			RAMPURIA, SATISH	
OFFICE OF THE GENERAL COUNSEL 176 SOUTH STREET			ART UNIT	PAPER NUMBER
HOPKINTÓN, MA 01748			2191	
			DATE MAILED: 03/29/200	5

Please find below and/or attached an Office communication concerning this application or proceeding.

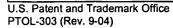
Advisory Action Before the Filing of an Appeal Brief

Application No.	Applicant(s)
09/817,437	TODD ET AL.
Examiner	Art Unit
Satish S. Rampuria	2191

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

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THE REPLY FILED <u>13 January 2005</u> FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLO	OWANCE.
1. The reply was filed after a final rejection, but prior to filing a Notice of Appeal. To avoid abandonme must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which p condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the followance.	ent of this application, applicant places the application in or (3) a Request for Continued
a) The period for reply expiresmonths from the mailing date of the final rejection.	
b) The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the f no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this Advisory Action, or (2) the date set forth in the financial state of the statutory period for reply expire later than SIX MONTHS from the mailing date of this Advisory Action, or (2) the date set forth in the financial state of this Advisory Action, or (2) the date set forth in the financial state of this Advisory Action, or (2) the date set forth in the financial state of this Advisory Action, or (2) the date set forth in the financial state of this Advisory Action, or (2) the date set forth in the financial state of the	of the final rejection.
Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).	I REPLY WAS FILED WITHIN
Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) a have been filed is the date for purposes of determining the period of extension and the corresponding amount of the funder 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the may reduce any earned patent term adjustment. See 37 CFR 1.704(b). NOTICE OF APPEAL	fee. The appropriate extension fee et in the final Office action; or (2) as
2. The reply was filed after the date of filing a Notice of Appeal, but prior to the date of filing an appea	al brief. The Notice of Appeal
was filed on A brief in compliance with 37 CFR 41.37 must be filed within two months of th Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).	e date of filing the Notice of
<u>AMENDMENTS</u>	
3. $oxed{\boxtimes}$ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will \underline{nc}	
(a) They raise new issues that would require further consideration and/or search (see NOTE bel	low);
(b) They raise the issue of new matter (see NOTE below);	
(c) They are not deemed to place the application in better form for appeal by materially reducing	g or simplifying the issues for
appeal; and/or	-1-1
(d) They present additional claims without canceling a corresponding number of finally rejected (ciaims.
NOTE: <u>See Continuation Sheet</u> . (See 37 CFR 1.116 and 41.33(a)).	
4. 🔲 The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliar	nt Amendment (PTOL-324).
5. Applicant's reply has overcome the following rejection(s):	
 Newly proposed or amended claim(s) would be allowable if submitted in a separate, timely non-allowable claim(s). 	_
7. For purposes of appeal, the proposed amendment(s): a) will not be entered, or b) will be en how the new or amended claims would be rejected is provided below or appended. The status of the claim(s) is (or will be) as follows:	ntered and an explanation of
Claim(s) allowed:	
Claim(s) objected to:	
Claim(s) rejected: <u>1-89</u> .	
Claim(s) withdrawn from consideration:	
AFFIDAVIT OR OTHER EVIDENCE	
8. The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice o because applicant failed to provide a showing of good and sufficient reasons why the affidavit or ot was not earlier presented. See 37 CFR 1.116(e).	of Appeal will <u>not</u> be entered ther evidence is necessary and
9. The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of entered because the affidavit or other evidence failed to overcome <u>all</u> rejections under appeal and/showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 to a second control of the property of	or appellant fails to provide a
10. The affidavit or other evidence is entered. An explanation of the status of the claims after entry is	
REQUEST FOR RECONSIDERATION/OTHER	Peter for all access
11. The request for reconsideration has been considered but does NOT place the application in cond	illion for allowance because:
12. Dote the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s)	Aud
13. Other:	'

ANL KHATRI PRIMARY EXAMINER





Continuation of 3. NOTE: Amended claims required further search and consideration due to the limitation "software" added. Now, claims are specific to the software architecture where as compare to architecture only as filed before. Therefore, the amended claims changes the scope of the claims.